



Attorney Docket No. 1195.284US1

SCIWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ADHESIVE BIOERODIBLE OCULAR DRUG DELIVERY SYSTEM**.

The specification of which was filed on November 12, 2003 as application serial no. 10/706603.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>Application Number</u>	<u>Filing Date</u>
60/425508	November 12, 2002

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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Attorney Docket No.: 1195.284US1
Serial No. 10/706603
Filing Date: November 12, 2003

I hereby appoint the attorneys associated with the customer number listed below to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Customer Number: 21186

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Schwegman, Lundberg, Woessner & Kluth, P.A.** at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : **Stephen L. Warren**

Citizenship: **United States of America**

Residence: **Fort Collins, CO**

Post Office Address: **7918 Eagle Ranch Road
Fort Collins, CO 80528**

Signature: _____ Date: _____
Stephen L. Warren

Additional inventors are being named on separately numbered sheets, attached hereto.

Page 3 of 4

Attorney Docket No.: 1195,284US1

Serial No. 10/706603

Filing Date: November 12, 2003

Full Name of joint inventor number 2 : David W. Osborne

Citizenship: United States of America

Post Office Address: *Pew 9/27/2011 Jewelsone Court 3563 Heimbucher Way
Pew 9/19/2011 Fort Collins, CO 80525 Santa Rosa CA 95404*

2009/24/04

~~Residence: Fort Collins, CO~~

Worcher Way
SA CA 95404

Signature: David W. Osborne
David W. Osborne

Date: September 24, 2001

Full Name of joint inventor number 3 : Richard Holl

Citizenship: United States of America

Residence: Fort Collins, CO

Signature:

Date:

Attorney Docket No.: 1195.284US1

Serial No. 10/706603

Filing Date: November 12, 2003

§ 1.56 Duty to disclose information material to patentability.

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- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



Attorney Docket No. 1195.284US1

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

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Application Number
60/425508

Filing Date
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No such claim for priority is being made at this time.

Attorney Docket No.: 1195.284US1
 Serial No. 10/706603
 Filing Date: November 12, 2003

Page 2 of 4

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Greaves, John N.	Reg. No. 40,362	Nielsen, Walter W.	Reg. No. 25,539
Arora, Suneel	Reg. No. 42,267	Harris, Robert J.	Reg. No. 37,346	Padys, Danny J.	Reg. No. 35,635
Beckman, Marvin L.	Reg. No. 38,377	Jackson Fluebsch, Katharine A.	Reg. No. 47,670	Parker, J. K.	Reg. No. 33,024
Bianchi, Timothy E.	Reg. No. 39,610	Jurkovich, Patti J.	Reg. No. 44,813	Peacock, Gregg A.	Reg. No. 45,001
Billion, Richard E.	Reg. No. 32,836	Kalis, Janal M.	Reg. No. 37,650	Perdok, Monique M.	Reg. No. 42,989
Black, David W.	Reg. No. 42,331	Klima-Silberg, Catherine I.	Reg. No. 40,052	Peret, Andrew R.	Reg. No. 41,246
Brennan, Thomas F.	Reg. No. 35,075	Kluth, Daniel J.	Reg. No. 32,146	Peterson, David C.	Reg. No. 47,857
Chadwick, Robin A.	Reg. No. 36,477	Lacy, Rodney L.	Reg. No. 41,136	Price, Lucinda G.	Reg. No. 42,270
Clark, Barbara J.	Reg. No. 38,107	Lundberg, Steven W.	Reg. No. 30,568	Prout, William F.	Reg. No. 33,995
Cline, Timothy B.	Reg. No. 40,957	Maki, Peter C.	Reg. No. 42,832	Schumun, Sherry W.	Reg. No. 39,422
Cochran, David R.	Reg. No. 46,632	Malen, Peter L.	Reg. No. 44,894	Schwegman, Michael L.	Reg. No. 25,816
Dahl, John M.	Reg. No. 44,639	Mates, Robert E.	Reg. No. 35,271	Speier, Gary J.	Reg. No. 45,458
DeLizio, Andrew	Reg. No. 52,806	McCrackin, Ann M.	Reg. No. 42,858	Steffey, Charles E.	Reg. No. 25,179
Drake, Eduardo E.	Reg. No. 40,594	Mehrle, Joseph P.	Reg. No. 45,535	Tong, Vick V.	Reg. No. 45,416
Embretson, Janet F.	Reg. No. 39,665	Muller, Mark V.	Reg. No. 37,509	Woessner, Warren D.	Reg. No. 30,440
Forrest, Bradley A.	Reg. No. 30,837	Nelson, A. James	Reg. No. 28,650		
Gorrie, Gregory J.	Reg. No. 36,530	Newton, Ruth H.	Reg. No. 26,657		

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Full Name of joint inventor number 1 : Stephen L. Warren

Citizenship: United States of America
 Post Office Address: 7918 Eagle Ranch Road
 Fort Collins, CO 80528

Residence: Fort Collins, CO

Signature: Stephen L. Warren
Stephen L. Warren

Date: 09-24-04

X Additional inventors are being named on separately numbered sheets, attached hereto.

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Full Name of joint inventor number 2 : David W. Osborne

Citizenship: United States of America
Post Office Address: 2601 Jewelstone Court
Fort Collins, CO 80525

Residence: Fort Collins, CO

Signature: _____
David W. Osborne

Date: _____

Full Name of joint inventor number 3 : Richard Holl

Citizenship: United States of America
Post Office Address: 2722 Morning Glory Road
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Residence: Fort Collins, CO

Signature: _____
Richard Holl

Date: _____

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Richard Holl

Sept. 20, 2004

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